STATE OF ARIZONA FILED

## STATE OF ARIZONA

SEP 27 2010

D	EP	AR <sup>1</sup>	<b>IMENT</b>	OF	INSU	RANCE
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DEPT	OF INSURANCE
BA	(40)

	BY
In the Matter of:	)
PERKINS, BOYD KIMBALL, (Arizona License Number 902591) (National Producer Number 5697378) SECURITY INSURANCE, LLC (Arizona License Number 914769)	) No. 10A-130 - INS ) ) ) )
Respondents.	ONSENT ORDER )
	)

The State of Arizona Department of Insurance ("Department") has received evidence that **Respondents** violated provisions of Title 20, Arizona Revised Statutes. Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

## FINDINGS OF FACT

- 1. Boyd Kimball Perkins ("Respondent Perkins") is, and was at all material times licensed as an Arizona resident property, casualty, life, accident/health, and variable life/variable annuities insurance producer, Arizona license number 902591, which expires on April 30, 2011.
- 2. Security Insurance LLC ("Respondent Security Insurance") is an Arizona resident property, casualty, life, accident/health and variable life/variable annuities insurance producer, Arizona license number 914769, which expires on March 31, 2012. Respondent Perkins is the Principal Member and Designated Responsible Licensed Producer for Respondent Security Insurance.

- 3. On or about October 26, 2009, Respondents entered into a producer agreement with Aequicap Program Administrators, Inc., ("Aequicap") to transact insurance on its behalf in Arizona. By virtue of the producer agreement, Respondents did not have authority to accept or bind risks on Aequicap's behalf without prior written approval from Aequicap.
- 4. Sometime on or after October, 2009, Respondents entered into a business relationship with Ansom Travel and Translation Services ("ATTS") whereby ATTS would refer clients to Respondents. When the ATTS referral resulted in a policy being purchased, ATTS would collect the insurance premium and forward it to Respondents. For each policy sold, Respondents paid ATTS a "referral" fee.
  - 5. Between October 2009 and August 2010 Respondents:
    - Issued certificates of insurance containing fictitious and or unauthorized application/policy numbers representing coverage when there was no coverage in effect without Aequicap's authorization, knowledge or consent to the following clients:

AA Cab, Hassan Abdi American Taxi, Abdisalam Adan AZ Yellow Cab, Guhad Dihal DC Ranch Cab, Sharmarke Abdi Fast Trip Transportation, Basim Alghanim Four Seasons Cab, Nassrudin Hassan

Overcharged client premiums on the following policies; and

AA Cab, Hassan Abdi
Americab Transportation Abdifatah Mohamud
American Taxi, Abdisalam Adan
DC Ranch Cab, Sharmarke Abdi
Fast Trip Transportation, Basim Alghanim
Safety Cab Transportation Towfiz Al-Amery
Yellow Sprint Cab, Abdisalam Adan

ŀ	6. Respondents' conduct as described above constitutes paying a commission,					
2	service fee, brokerage or other valuable consideration to a non-licensed person for selling,					
3	soliciting or negotiating insurance in this state within the meaning of A.R.S.§20-298(A).					
4	7. Grounds exist for the Director to suspend, revoke, or refuse to renew					
5	Respondents' insurance licenses, impose a civil penalty and/or order restitution pursuant to					
6	A.R.S. §§20-295(A), (B) and (F).					
7	ORDER					
8	IT IS HEREBY ORDERED THAT:					
9	1. Respondents' licenses are suspended for thirty (30) days effective immediately					
10	upon entry of this Order.					
11	2. Respondents shall immediately pay a civil penalty of \$2,500.00 for deposit into					
10	the State General Fund.					
12 13	DATED AND EFFECTIVE this 24 day of September 2010.					
14	$\alpha = 1$					
15	CHRISTINA URIAS					
16	Director of Insurance					
17	CONSENT TO ORDER					
18						
19	<ol> <li>Respondents have reviewed the foregoing Findings of Fact, Conclusions of Lav</li> </ol>					
20	and Order.					
21	2. Respondents admit the jurisdiction of the Director of Insurance, State of Arizona					
22	and admit the foregoing Findings of Fact and consent to the entry of the foregoing					
	Conclusions of Law and Order.					
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- 3. Respondents are aware of their right to notice and a hearing at which they may be represented by counsel, present evidence and examine witnesses. Respondents irrevocably waive their right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondents state that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to them to induce them to enter into this Consent Order and that they have entered into this Consent Order voluntarily.
- 5. Respondents acknowledge that the acceptance of this Consent Order by the Director is solely to settle this administrative licensing matter against them and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future.

  Notwithstanding the foregoing, as consideration for Respondents' voluntary cooperation in this matter and Respondents' compliance with the Order set forth herein, the Department shall not take any further action regarding the specific COMPLAINTS set forth herein. Respondents acknowledge that other COMPLAINTS, not addressed herein, may be grounds for additional action by the Department.
- 6. Respondents acknowledge that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC) and that they may have to report this administrative action on any future licensing applications either to the Department or other states' Departments of Insurance.
- 7. Boyd Kimball Perkins represents that he is the Principal Member of Security Insurance LLC and as such is authorized to enter into this Consent Order on its behalf.

1	9/23/10 Frul F.
2	Date Boyd Kimball Perkins, License No. 902591
3	Security Insurance, LLC, License No. 914769
4	9/23/10 B15
5	Date Boyd Kimball Perkins, Owner/Operator
6	
7	COPIES of the foregoing mailed/delivered this <u>27th</u> day of <u>September</u> , 2010, to:
8	Boyd Kimball Perkins
9	Security Insurance LLC P. O. Box 1142
10	Gilbert, AZ 85299 Respondents
11	Mary Kosinski, Executive Assistant for Regulatory Affairs
12	Catherine M. O'Neil, Consumer Legal Affairs Officer Steve Fromholtz, Licensing Supervisor
13	Arnold Sniegowski, Investigator Department of Insurance
14	2910 North 44 <sup>th</sup> Street, Suite 210 Phoenix, Arizona 85018
15	Clesvey Buston
16	Curvey Wayters Burton
17	
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